

**MAYOR AND TOWN COUNCIL
THE TOWN OF FOREST HEIGHTS**

RESOLUTION 28-18

**A RESOLUTION TO APPROVE THE DEVELOPMENT PLAN FOR THE
COMMUNITY GATHERING SPACE (PHASE 2) LOCATED AT 5433 INDIAN HEAD
HIGHWAY AND GENERALLY RELATING TO CERTAIN OPEN SPACE
IMPROVEMENTS**

Introduced by: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Mayor and Town Council enacted Emergency Ordinance No. 06-15 (uncodified) on September 18, 2015 authorizing and approving the purchase of real property located at 5433 Indian Head Highway (Part of Parcel A (17,923 s.f.) & Parcel 409 (4,029 s.f.)) and amending the Fiscal Year 2016 budget to authorize and appropriate funding for said purchase of land for a purchase price of \$40,000.00; and

WHEREAS, as stated in Emergency Ordinance No. 06-15, the Town Council declared its intent to purchase the property interests in 5433 Indian Head Highway Part of Parcel A (Tax ID # 1267145) & Parcel 409 (Tax ID # 3091873) for a public park, urban green space, and/or other municipal purposes in fee simple; and

WHEREAS, as further stated in Emergency Ordinance No. 06-15, the Town of Forest Heights had specially requested and received a direct, yearly Program Open Space ("POS") allocation (i.e., ~\$3,000 or .3% of the County's POS funding derived from the tax on real property transactions) commencing in 2013 distributed directly to the Town based on population, and the Town has previously made a submittal to the Capital Improvement Program Section of M-NCPPC in June of 2013 (FY14) to acquire and/or develop said properties to be known as Reifsneider Park using POS funds; and

WHEREAS, the Mayor and Council approved Resolution 48-16 on August 17, 2016 to purchase soil or fill from Deakins Pond Wholesale Nursery in an amount not to exceed \$3,354.00 appropriated from Line Item 7263 (Parks & Public Area Maintenance) to level a foundation for a structure on the lot at 5433 Indian Head Highway -- (Anne K. Reifsneider Park); and

WHEREAS, the Mayor and Town Council approved Resolution 57-16 on September 21, 2016 to approve an administrative fee of \$750.00 for the delivery of the final design documents and a Memorandum of Understanding between the Town of Forest Heights (the "Town") and the Neighborhood Design Center ("NDC") to create said conceptual designs for the Community Gathering Space at 5433 Indian Head Highway; and

WHEREAS, the Mayor and Town Council approved Resolution 23-18 on April 18, 2018 to authorize the purchase of two (2) cedarwood 12' x 12' gazebos for the Community Park located at Sachem Lane and Seneca Drive in the amount of \$2,798.00. appropriated from Line Item 6103 (Community Park) of the FY18 Budget; and

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WHEREAS, the NDC has provided a Site Plan (Exhibit 1) for conceptual purposes dated March 30, 2018 for the Community Gathering Space (Phase 2) that includes the following: a lighted above-ground stage situated between two pre-fabricated wooden pavilions, concrete walkways illuminated by solar concrete bollards, two (2) parking spaces with electric charging stations, three (3) sculptured benches, a wood picket fence for the property line, and a soil berm for safety; and

WHEREAS, the Program Manager Allie O'Neill of NDC has further provided a spreadsheet entitled Materials List Cost Opinion (Exhibit 2) as an estimate of possible costs for budget purposes only with suggested manufacturers, possible sources of supply and estimated costs totaling approximately \$29,000 not including labor and depending on the type of bench design chosen; and

WHEREAS, the Program Manager of NDC has further recommended the Town use as the General Contractor for the deck and pavilions, a company known as Woodwind Construction, LLC (Mr. Dustin Wood) having a principal office in Frederick, Maryland.

NOW, THEREFORE BE IT RESOLVED THAT, Mayor and Town Council hereby (i) endorses and approves the Site Plan referenced above dated March 30, 2018 for the Community Gathering Space (Phase 2); (ii) further authorizes the Town to engage the General Contractor recommended by the NDC, as described above, provided the engagement is appropriated in the FY Budget and is properly considered a cooperative or "piggy back" purchase based on another government's existing contract and similar procurement policies; otherwise, the procurement will be advertised for sealed bids, proposals or other authorized method of procurement, and (iii) further authorizes the procurement of the enumerated items including the cost for labor listed in the above-described Materials List Cost Opinion provided that such purchases are appropriated in the applicable FY Budget and meet the Town contracting and purchasing requirements as found in the Town Charter and Article 20 of the Town Ordinance Code.

AND BE IT FURTHER RESOLVED THAT, the Mayor and Chief of Police shall recommend locations for Community Safety Cameras that will monitor activities at the Community Gathering Space including the posting of adequate signage notifying park users of surveillance and park closing times or other appropriate regulations.

AND BE IT FURTHER RESOLVED THAT, the Mayor and/or Town Administrator are hereby authorized to execute documents and take any action necessary to carry out the intent of this Resolution;

AND BE IT ALSO FURTHER RESOLVED, that this Resolution shall take effect from the date of its passage by the Town Council;

PASSED this 16 day of May 2018.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

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ROLL CALL VOTE

MUHAMMAD

KENNEDY II

MCLAURIN

BARNES

HINES

WASHINGTON

BROWNSON

YEA/NAY/ABSTAIN/ABSENT

Yea
Yea
Yea
Yea
Yea
Yea
Yea

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By:

Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By:

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 16 day of May 2018 with 7 Aye votes and 0 Nay vote the aforesaid Resolution 28-18 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

EXHIBITS: 1.) Site Plan for conceptual purposes dated March 30, 2018 for the Community Gathering Space (Phase 2), and 2.) spreadsheet entitled Materials List Cost Opinion.

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